Group Art Unit: 1638

Confirmation No. 6243

Examiner: Nelson, Amy J.

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re reissue application of Proctor

Reissue Application No. 09/773,303

Filed: 31 January 2001

For: U.S. Patent No. 5,894,079

In re Proctor Reexamination Proceeding

Control No. 90/005,892

Filed: December 20,2000

For: U.S. Patent No, 5,894,079

Title: FIELD BEAN CULTIVAR NAMED ENOLA <u>Date: June 2, 2004</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST TO AMEND ATTORNEY DOCKET NUMBER

Applicants hereby request the following amendment to the Attorney Docket No. in the above-identified patent application:

Please delete "19742-001" and substitute "414634" therefor.

Date: June 2, 2004

Dan Cleveland, Reg. No. 36,106

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TRANSMITTAL **FORM**

(to be used for all correspondence after initial filing)

Alexandria, VA 22313-1450 on the date shown below.

Dan Cleveland

Typed or printed name

Application Number 09/773,303 - 90/005,892 Filing Date 1/31/2991 - 12/20/2000 First Named Inventor Proctor, Larry M. [5894079] Art Unit 1638 **Examiner Name** Amy J. Nelson Total Number of Pages in This 5 pages + 1 courtesy copy Attorney Docket Number 396168

	Submission				
	ENCLOSURES (check all that apply)				
	Fee Transmittal F	om	☐ Drawing(s)		After Allowance Communication to Group
	Fee Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences
	Amendment / Reply		Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
	After Final		Petition to Convert to a Provisional Application		Proprietary Information
	Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address		Status Letter
	Extension of Time Request		Terminal Disclaimer		Other Enclosure(s) (please identify below):
	Express Abandonment Request		Request for Refund CD, Number of CD(s)		Request to Amend Attorney; Communication of Copy for Reexamination File; Courtesy copy
	☐ Information Disclosure Statement				for Reexamination File; Certificate of Mailing by "Express Mail"; Return Postcard
	Certified Copy of Priority Document(s)		Remarks		
	Response to Missing Parts/ Incomplete Application				
	Response to Missing Parts under 37 CFR 1.52 or 1.53				
	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				RAGENT
	Firm Dan Cleveland or Individual name Lathrop & Gage L.C.				
	Signature		$\mathcal{T} = \mathcal{T}$		
	Date June 2, 2004		——————————————————————————————————————		

Date June 2, 2004 This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Matter No. Applicant(s): Larry M. Proctor 414634 Serial No. Filing Date Examiner Group Art Unit 09/773,303 - 90/005,892 1638 01/31/2001 - 12/20/2000Amy J. Nelson

Invention FIELD BEAN CULTIVAR NAMED ENOLA

I hereby certify that this:

- Transmittal Form (1 page);
- 2. Fee Transmittal For FY 2004 authorizing charges to deposit account (1 page in duplicate);
- 3. Petition For Extension of Time Under 37 CFR 1.136(a) (1 page in duplicate):
- 4. Request to Amend Attorney Docket Number (1 page);
- 5. Response to Office Action mailed December 2, 2003 (38 pages);
- Information Disclosure Statement and cited references (TAB 1), 6.
- 7. PAIRS system printouts from application number 90/005,892 and 09/773,303 (TAB 2).
- 8. Copies of Information Disclosure Statements previously filed in application numbers 09/773,303 and 90/005,892 (TAB 3);
- Reissue Declaration by the inventor (TAB 4) (3 pages + attached table); 9.
- 10. Printout from Hyperdictionary.com (TAB 5);
- Declaration of Gil Waibel (TAB 6): 11.
- 12. Bassett article (TAB 7):
- 13. Bean Improvement Committee Comprehensive list of Genes (TAB 8);
- 14. Declaration of Polly Proctor (TAB 9),
- 15. Declaration of Larry Proctor (TAB 10), and
- 16. Supplemental Information Disclosure Statement with cited references (TAB 11).
- 17. Certificate of Express Mail; and
- 18. Return Postcard

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